

Exhibit B

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 MARY M. TARDIF,

PLAINTIFF,

4
5 -against-

Case No.:
19-CV-1360

6
7 CITY OF NEW YORK, ET AL,

8 DEFENDANTS.

9
10 DATE: January 18, 2022

11 TIME: 10:18 a.m.

12
13
14 DEPOSITION of the Plaintiff, MARY TARDIF,
15 taken by the Defendant, pursuant to a Court Order and to
16 the Federal Rules of Civil Procedure, held via
17 videoconference at the offices of Faruqi & Faruqi LLP, 685
18 Third Avenue, New York, New York 10017, before Kenneth
19 Perschke, a Notary Public of the State of New York.
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1 have we would have to get dates from them.

2 Q. The social media posts that you were doing for
3 them, are you posting those on accounts you administer or
4 are they being generated and given to other people to post?

5 A. They give me access to other people's accounts.

6 Q. They give you access and you put it up?

7 A. Yes.

8 Q. That's something you continue to do until today?

9 A. Only when they need me to.

10 Q. The incident with Police Officer Mattera, do you
11 remember the date that that occurred?

12 A. Yes.

13 Q. What is the date?

14 A. March 21.

15 Q. Of what year?

16 MR. REZVANI: Note my objection. You can
17 answer.

18 A. 2012.

19 Q. At some point my understanding is you began to
20 experience what we'll call neurological symptoms in regards
21 to this case. Since November 2018, what, if any, symptoms
22 did you experience as a result of your interactions with
23 police officers in this case?

24 MR. REZVANI: Objection. You can answer if
25 you understand.

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1 A. What timeframe?

2 Q. Since November 2018 to present?

3 A. Headaches, nausea, vomiting, headaches to the
4 point where I can't get out of bed, what they call
5 palinopsia, frame by frame vision, weight loss, weight
6 gain, massive amounts of vomiting, inability to eat,
7 sensitivity to bright lights, sound, not being able to walk
8 more than a few blocks at the beginning of 2021.

9 Q. The symptoms you just described, did that start
10 after November 2018 at some point?

11 MR. REZVANI: Objection to form. You can
12 answer.

13 A. After when?

14 Q. You described very severe headaches?

15 A. Yes.

16 Q. Headaches with that level of severity, did that
17 start at some point after November 2018?

18 A. Yes.

19 Q. When did they start?

20 A. November of 2020.

21 Q. The nausea, did that also start in November 2020?

22 A. Yes.

23 Q. The dizziness, did that start in November of
24 2020?

25 MR. REZVANI: Objection to form.

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1 Q. People can get dizzy at any point in their life
2 but the dizziness you were mentioning before, did that
3 specifically start in November 2020?

4 A. Yes.

5 Q. You described a lot of vomiting, did that start
6 in November 2020?

7 A. Yes.

8 Q. The weight loss and weight gain, did that start
9 in November 2020?

10 A. Yes.

11 Q. The sensitivity to light and sound, did that also
12 start in November 2020?

13 A. Yes.

14 Q. You described not being able to walk more than a
15 few blocks, did that start in November 2020?

16 A. Yes.

17 Q. The causes for the headaches, the nausea, the
18 vomiting, the weight loss, the weight gain, the issues with
19 walking, the sensitivity to light, what are you saying is
20 the cause of all that?

21 MR. REZVANI: Objection. You can answer.

22 A. My head.

23 Q. What specifically with your head is causing those
24 symptoms to occur?

25 MR. REZVANI: Objection.

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1 A. Traumatic brain injury.

2 Q. How did you get a traumatic brain injury?

3 A. I was picked up and thrown.

4 Q. Who picked up and threw you?

5 A. Officer Mattera.

6 Q. When you say picked up, what do you mean by that?

7 MR. REZVANI: Objection. I'm going to
8 direct her not to answer.

9 Q. To the best of your understanding, how was being
10 picked up and thrown a cause of you getting traumatic brain
11 injury?

12 MR. REZVANI: Objection. I'm going to
13 direct her not to answer.

14 MR. OLIVER: What's the basis for that?

15 MR. REZVANI: Over my objection I let her
16 answer the previous questions and you're asking
17 her medical opinions, questions that are more
18 appropriate for an expert. I'm not sure what the
19 point of this is right now.

20 MR. OLIVER: I'm trying to understand what
21 she's saying.

22 Q. The question is to the best of your understanding
23 how did you get traumatic brain injury from being picked up
24 and thrown?

25 MR. REZVANI: Objection. I'm directing her

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1 not to answer.

2 Q. When you say traumatic brain injury, what do you
3 understand that term to mean?

4 MR. REZVANI: Objection. You can answer.

5 A. It means an injury that was caused to your brain.

6 Q. What is your understanding about the specific
7 injury you have to your brain, what is the condition that
8 you have when you say traumatic brain injury?

9 MR. REZVANI: Objection. I don't understand
10 the question.

11 Q. Do you understand the question, Ms. Tardif?

12 A. No.

13 Q. What part of your brain is injured?

14 MR. REZVANI: Objection. I'm going to
15 direct her not to answer.

16 MR. OLIVER: Explain that one.

17 MR. REZVANI: Is Ms. Tardif our expert, have
18 we proffered her as an expert? You're asking
19 about medical opinions and medical diagnosis, I
20 don't understand the questions.

21 MR. OLIVER: If someone had a broken arm and
22 I said what part of your arm is broken, if that
23 was your client would you instruct her not to
24 answer?

25 MR. REZVANI: Do you want to discuss this?

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1 Q. Is it your position that the neurological
2 symptoms that you described starting in November 2020 were
3 caused by your incident with Lieutenant Mattera?

4 MR. REZVANI: Objection.

5 A. Yes.

6 Q. You recall that your lawsuit in this case
7 initially claimed that Sergeant McManus pushed you over, do
8 you remember that?

9 MR. REZVANI: Objection.

10 A. Yes.

11 Q. When that took place, that fall, the next
12 morning, when you fell over, did you hit your head at that
13 time?

14 MR. REZVANI: Objection. Don't answer.
15 We're going back in time.

16 Q. Do you remember that you claimed that an officer
17 pushed you into a wall during the April 16 incident on Wall
18 Street?

19 MR. REZVANI: Objection. Don't answer.

20 Q. Do you remember that you claim you were having a
21 seizure on the floor of a police van that night as well?

22 MR. REZVANI: Objection. Don't answer.

23 Q. What makes you sure that the fall you had in
24 Union Square with Lieutenant Mattera is what caused you to
25 have the symptoms you describe that started in

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1 November 2020?

2 MR. REZVANI: Objection to form,
3 argumentative, mischaracterization, asked and
4 answered and you're now getting into the world of
5 medical opinion. For all those reasons and more
6 I'm going to object and direct the witness not to
7 answer.

8 Q. Is it fair to say that without a doctor to tell
9 you, you would not be able to say that the incident you
10 described with Lieutenant Mattera is causing you the
11 problems you have today?

12 MR. REZVANI: Objection. You can answer if
13 you can.

14 A. What's the question?

15 Q. You don't know without a doctor looking at the
16 issue whether the incident on March 21, 2013 caused the
17 symptoms you started feeling in November 2020, as opposed
18 to something else, right?

19 MR. REZVANI: Objection to form.
20 Argumentative, asked and answered. Over those
21 objections you can answer.

22 A. Yes.

23 Q. Do you remember getting a CT scan in February of
24 2018?

25 A. Not specifically.

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1 MR. OLIVER: I'm almost done, I'm going to
2 take a five minute break to go over my notes.

3 (Whereupon, a short recess was taken.)

4 Q. Between March 21, 2012 and November 2018 were you
5 ever evaluated to see if you had a traumatic brain injury?

6 MR. REZVANI: Objection. I'm going to
7 direct her not to answer based on the form of the
8 question.

9 Q. In the calendar year 2020, was there ever a time
10 where you hit your head on an object?

11 MR. REZVANI: Objection to form.

12 A. Sure.

13 Q. What did you hit your head on?

14 A. I got tapped by the surfboard, that was it.

15 Q. Other than the surfboard was there an impact
16 between your head and another object at any point in the
17 calendar year 2020?

18 MR. REZVANI: Objection.

19 A. No.

20 Q. In the calendar year 2019 was there any impact
21 between your head and another object?

22 MR. REZVANI: Objection. You can answer.

23 A. Yes.

24 Q. What impact happened between your head and
25 another object in 2019?

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1 MR. REZVANI: Objection. You can answer.

2 A. I was told a set piece, a chair.

3 Q. Who told you that a chair hit you in the head?

4 MR. REZVANI: Objection to form.

5 A. Another cast member.

6 Q. Cast of what?

7 A. Tina, the Tina Turner Musical.

8 Q. What were you doing at the time that you were hit
9 in the head by a chair?

10 MR. REZVANI: Objection to form.

11 A. I was with Skye, walking with her.

12 Q. Who is Skye?

13 A. One of the performers in Tina.

14 Q. Where was the chair that hit you in the head?

15 MR. REZVANI: Objection to form.

16 A. The entrance of our stage.

17 Q. You said a moment ago that you were told you got
18 hit by a chair?

19 MR. REZVANI: Objection to form.

20 A. Yes.

21 Q. What were the circumstances where someone had to
22 tell you you were hit by a chair?

23 MR. REZVANI: Objection to form.

24 A. I had a seizure.

25 Q. When you had the seizure did you fall over in any

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1 way?

2 A. Yes.

3 Q. When you fell you made contact with the chair?

4 A. Yes, I assume.

5 Q. It was your head that made contact with the
6 chair, right?

7 MR. REZVANI: Objection.

8 A. I assume so.

9 Q. Other than this incident where you had the
10 seizure and you were told your head made contact with the
11 chair, were there any other impacts between your head and
12 another object that you experienced in 2019?

13 MR. REZVANI: Objection to form.

14 A. Not that I know of.

15 Q. In the calendar year 2018 do you recall any
16 impacts between your head and another object?

17 MR. REZVANI: Objection to form.

18 A. Not that I know of.

19 Q. In the calendar year 2017 were there any impacts
20 between your head and another object?

21 MR. REZVANI: Objection.

22 A. I wouldn't remember.

23 Q. In the calendar year 2016 were there any impacts
24 between your head and another object?

25 MR. REZVANI: Objection.

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1 when you were thinking about it?

2 MR. REZVANI: Objection.

3 A. No.

4 Q. Right away your thought was this must be related
5 to what happened with Lieutenant Mattera once you heard it
6 was a brain injury?

7 MR. REZVANI: Objection. This is
8 argumentative, you have asked the question. I'm
9 directing her not to answer.

10 MR. OLIVER: I think that's a baseless
11 directing her not to answer but I'll rephrase.

12 Q. To be clear, when you learned that you had a
13 brain injury, your thought was only that this was caused by
14 Lieutenant Mattera and nothing else, is that your position?

15 MR. REZVANI: Objection to form. I'm not
16 sure what time period you're talking about.
17 Asked and answered and a host of other
18 objections.

19 A. Am I allowed to ask a question?

20 Q. Yes, if you're having trouble understanding what
21 I'm saying.

22 A. Are you talking about the first time I was told I
23 had a brain injury?

24 Q. When was the first time you were told you have a
25 brain injury?

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1 A. In 2012.

2 Q. In 2012 when you were told you had a brain
3 injury, who was it who told you you had a brain injury?

4 MR. REZVANI: Objection. I'm directing her
5 not to answer.

6 Q. I'm asking you now because your attorney is
7 insisting you don't have to answer these questions. After
8 November 2020 did there come a point where someone told you
9 you had a brain injury?

10 MR. REZVANI: I'm going to object and direct
11 her not to answer.

12 MR. OLIVER: What is the basis for that?

13 MR. REZVANI: We have been through this, you
14 have asked this numerous times in different
15 forms, you're asking if any doctors have told
16 her, we've been through this. Over my objection,
17 you can keep asking the same question.

18 MR. OLIVER: I'm not asking the same
19 question. I've been told there was some
20 confusion so I want to be clear.

21 MR. REZVANI: Let me be clear. The
22 questions that you're asking, every question you
23 have been asking for the last two, three minutes
24 you have phrased the question in a way that
25 mischaracterizes what Ms. Tardif has said, in

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1 addition to other objections with respect to the
2 form of the question. In terms of your response
3 that you're asking these questions to clarify
4 confusion, my position is the confusion is due to
5 your questions.

6 MR. OLIVER: I'll ask better questions,
7 hopefully undo the confusion that you accuse me
8 of creating.

9 MR. REZVANI: It's not an accusation, I'm
10 just stating my position.

11 Q. I'm trying to make sure I understand this
12 correctly. When you were saying minutes ago that after you
13 learned you had a brain injury you started thinking it
14 might be Lieutenant Mattera. When you are saying then,
15 that was a point after November 2020, right?

16 MR. REZVANI: Objection to form.

17 A. I don't understand that question.

18 Q. I'll break it down. At some point after
19 November 2020 it's your testimony that you were advised
20 that you had a brain injury, correct?

21 MR. REZVANI: Objection, asked and answered
22 and to form.

23 A. Yes.

24 Q. At that point when you were advised you had a
25 brain injury, are you saying you then started to think it